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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

THOMAS EUGENE WASCHURA and ANDREI POSKATCHEEV

SERIAL NUMBER: **To be Assigned**

FILING DATE: **November 21, 2001**

For: **Method and Apparatus for Sampling Eye Diagrams with Window Comparators**

PATENT

ART UNIT NO.: N/A

EXAMINER: N/A

ATTORNEY DOCKET NO.:
WASC1821

COPY OF PAPERS
ORIGINALLY FILED

I hereby certify that this document and the documents referred to as enclosed therein are being deposited with the United States Postal Service on FEB 13, 2002 in an envelope Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231



San Jose, California
January 16, 2002

Elia Salinas
Typed or printed name of person mailing paper or fee
Elia Salinas
Signature of person mailing paper

**COMBINED DECLARATION AND
POWER OF ATTORNEY**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

As a below named inventors, we hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type:

- ☒ original
- ☐ design
- ☐ supplemental
- ☐ national stage of PCT
- ☐ divisional
- ☐ continuation
- ☐ continuation-in-part

January 16, 2002

INVENTORSHIP IDENTIFICATION

Our residence, post office address and citizenship are as stated below next to my name. We believe we are the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Method and Apparatus for Sampling Eye Diagrams with Window Comparators

SPECIFICATION IDENTIFICATION

the specification of which:

- (a) ___ is attached hereto.
- (b) X was filed on November as Application Number 09/996,342 Or
 ___ Express Mail No.
 ___ as *Serial No. not yet known*
 and was amended on _____(c)
 ___ was described and claimed in PCT International Application
 No. _____ filed on _____ and as
 amended under PCT Article 19 on _____.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

We hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information

- X which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56
- X and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent, and
- ___ In compliance with this duty there is attached an information disclosure statement in accordance with 37 CFR 1.98.

PRIORITY CLAIM (35 U.S.C. § 119)

**DECLARATION and POWER OF ATTORNEY
ATTORNEY DOCKET NO.: WASC1821**

January 16, 2002

We hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

- (d) ☐ no such applications have been filed.
(e) ☐ such applications have been filed as follows.

**A. PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119**

COUNTRY (OR INDICATE IF PCT	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. 120

We hereby claim the benefit under Title 34, United States Code, § 120 of any United States applications or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, we acknowledge the duty to disclose information that is material to the examination of this application, namely, information where there is substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120:**

**DECLARATION and POWER OF ATTORNEY
ATTORNEY DOCKET NO.: WASC1821**

January 16, 2002

U.S. APPLICATION Yes Status (Check One)
U.S. APPLICATIONS U.S. FILING DATE Patented Pending Abandoned

**35 USC 119 PRIORITY CLAIM, IF ANY, FOR ABOVE LISTED
U.S./PCT APPLICATIONS**

Above Details of Foreign Application From Which Priority

Application Claimed Under 35 USC 119
No.

Not Applicable

POWER OF ATTORNEY

We hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

**DOUGLAS A. CHAIKIN
PENINSULA IP GROUP
2290 North First Street, Suite 101
San Jose, California 95131
Reg. No. 29,140
(408) 965-4001**

— Attached as part of this declaration and power of attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representatives

SEND CORRESPONDENCE TO:

DIRECT TELEPHONE CALLS TO:

**DOUGLAS A. CHAIKIN
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**DOUGLAS A. CHAIKIN
(408) 965-4001**

January 16, 2002

DECLARATION

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURES

Full name of **sole** or **first** inventor: **THOMAS EUGENE WASCHURA**

Inventor's signature

Date January 16, 2001 Country of Citizenship: USA

Mailing Address: **3475 D Edison Way, Menlo Park, California 94025**

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Full name of **second** inventor: **ANDREI POSKATCHEEV**

Inventor's signature

Date January 16, 2001 Country of Citizenship: RUSSIA

Mailing Address: **3475 D Edison Way, Menlo Park, California 94025**

Post Office Address: **3475 D Edison Way, Menlo Park, California 94025**

* * *

____ Signature by administrator(trix), executor(trix) or legal representative for
deceased or incapacitated inventor.

Number of pages added ____

* * *

DECLARATION and POWER OF ATTORNEY
ATTORNEY DOCKET NO.: WASC1821

January 16, 2002

___ Signature for inventor who refuses to sign or cannot be reached by person
authorized under 37 CFR 1.47.
Number of pages added ___. * * *

___ Added pages to combined declaration and power of attorney for divisional,
continuation, or continuation-in-part (CIP) application.
___ Number of pages added ___.
* * *

X Authorization of attorney(s) to accept and follow instructions from representative.
* * *

X This Declaration ends with this page.

Respectfully submitted,
PENINSULA IP GROUP
A Professional Law Corporation



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